

Message Text

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FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 5014

UNCLAS TEHRAN 0090

E.O. 11652: NA

TAGS: BGEN, IR

SUBJ: TRADE COMPLAINT: LEE CONSTRUCTION CO., VS.

CARGO AND SHIPPING CO., LTD., TEHRAN

1. EMBOFF SPOKE WITH EXECUTIVE VICE PRESIDENT ALBERTSON OF CARGO AND SHIPPING WHO RECONFIRMED THAT CARGO AND SHIPPING PRESIDENT HASK BABAYAN(IRANIAN NATIONAL) IS ADAMANT ON CANCELLATION OF CONTRACT WITH LEE CONSTRUCTION.

2. ALBERTSON SAID THAT IN FACT BABYAN HAS CONTRACTED WITH LOCAL CONSTRUCTION FIRM AND THAT BUILDING OF CONTAINER TERMINAL COMPLEX ALREADY STARTED. ALBERSTON RESTATED THAT BABYAN'S REASONS FOR TERMINATING CONTRACT WERE BASED ON COST AND DESIRE TO COMPLETE PROJECT IN SHORTEST TIME POSSIBLE. QUOTATION OF LOCAL FIRM SAID TO BE CONSIDERABLY LOWER THAN LEE'S SUBMISSION.

3. IN VIEW BABAYAN'S POISTION, ONLY RECOURSE LEE HAS IS THROUGH LOCAL COURTS. PROCESS IS UNWIELDY AND TIME-CONSUMING, WITH LITTLE HOPE OF BRINGING SUIT TO SPEEDY CONCLUSION. RICHARD GREENBERG, LEE REPRESENTATIVE, RETAINED IRANIAN ATTORNEY DURING TEHRAN VISIT.

4. ADDITIONALLY, WE HAVE INFORMED PLAN AND BUDGET ORGANIZATION, OFFICE FOR REGISTRATION OF CONTRACTORS, AND THE IRANIAN CHAMBER OF COMMERCE INDUSTRY AND MINES OF LEE'S TRADE COMPLAINT.

5. FYI: CARGO AND SHIPPING APPARENTLY WAS SUBJECT OF UNCLASSIFIED

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SIMILAR TRADE COMPLAINT SEVERAL YEARS AGO. LEE,

HOWEVER, SIGNED ORIGINAL CONTRACT WITHOUT REFERENCE TO
EMBASSY OR TO IRANIAN LAWYER AND THUS WAS NOT AWARE OF
THIS INFORMATION. WITH THE POSTPONEMENT AND/OR
CANCELLATION OF MANY PROJECTS IN LAST MONTHS,
COMPLAINTS SIMILAR TO LEE'S, BOTH FOR CORPORATE CONTRACTS
AND PERSONAL SERVICES CONTRACTS, ARE BEGINNING TO SURFACE.
HELMS

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